

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

Xavier Adams
Plaintiff,

Case No. CIV-19-41-JHP-SPS

V.

Tiffany Ade et al.,
Defendant.

FILED

OCT - 4 2019

PATRICK KRANEY
Clerk, U.S. District Court
By _____
Deputy Clerk

MOTION FOR TEMPORARY RESTRAINING ORDER

Come Now, the Plaintiff Xavier Adams ODoc# 641545 respectfully moves this honorable Court to issue a Temporary Restraining Order pursuant to Fed. R. Civ. Proc., 65(b) for the following justifiable reasons:

- 1.) The plaintiff is being hampered from being fully able to represent himself, because of the negative influences of the Defendants.
- 2.) Subsequently to the commencement of this lawsuit, the plaintiff has been denied access to the court/Law Library in multiple forms. See attached Affidavit
- 3.) The Plaintiff's rights to not have his Privileged mail/legal mail read by prison officials is being violated by the unit clerk, whom work closely with defendant Ade. See attached Affidavit
- 4.) The plaintiff fully asserts that he has presented all factual undisputable evidence and is likely to succeed on the merits.

5.) If the plaintiff is being denied access to the court/Law Library, out of retaliation for utilizing the grievance procedure and filing this lawsuit he will lose his lawsuit because he is unable to comply with Local court Civil Rules and obtain all the resources needed to fully and properly represent himself. Resulting in the dismissal of his suit, which is a irreparable injury.

6.) The opposing part will not suffer an injury under the TRO.

7.) The TRO would not be adverse to the public interest. *Westar Energy, Inc. v. Lake*, 352 F.3d 1215, 1224 (10th Cir. 2004) "Because a preliminary injunction is an extraordinary remedy, the right to relief must be clear and unequivocal." *Greater Yellowstone Coal. v. Flowers*, 321 F.3d 1250, 1256 (10th Cir. 2003).

In conclusion the plaintiff humbly and respectfully moves this court to place a TRO on the Defendants, Echo Unit Clerk - Carla Hoover and Law Library Supervisor - Ms. Patterson.

VERIFICATION

I, Xavier Adams, hereby certify that a true and correct copy of the foregoing was mailed. Postage Prepaid, on the 1st day of Oct 2019. To:

United States District Court
For the Eastern District of Oklahoma
P.O. Box 607
Muskogee, OK 74402-0607

/s/ Xavier Adams

Davis Correctional Facility
6888 East 133rd Road
Holdenville, OK 74848

Subscribed and sworn to before me this 1 day
of ~~October~~ 2019 by, Xavier Adams



/s/ Carla Hoover
Notary Public

My commission Expires: 4-15-2023

My commission number: 11003473